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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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25227	7590	01/13/2005	EXAMINER	
MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD SUITE 300 MCLEAN, VA 22102			VU, THANH T	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/500,449

Applicant(s)

TAIMA, KATSUYUKI

Examiner

Thanh T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-19, and 26-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-19 and 26-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Amendment, filed 08/20/04.

Claims 15-19, and 26-32 are pending in this application. This action is made Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 15-19, 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullaney (U.S. Pat. No. 5,917,484) and Kusmierczyk (U.S. Pat. No. 5,828,992).

Per claim 15, Mullaney teaches a device comprising:

a display unit, and means for displaying a first screen on the display unit, the first screen displaying a plurality of selectable language options for selecting a display language (fig. 4; options: 404-414; col. 4, lines 40-45), but does not teach means for displaying a second screen with an option on the display unit, the option having a same appearance regardless of the display language currently displayed, wherein the first screen is displayed when the option is designated on the second screen.

However, Kusmierczyk teaches means for displaying a second screen with an option on the display unit, the option having a same appearance regardless of the display language currently displayed, wherein the first screen is displayed when the option is designated on the second screen (Fig. 2B; the option: F3; col. 2, lines 61-67; The examiner infers that the option

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having a same appearance regardless of the display language currently displayed is that the F3 function key has the same appearance in both Figs. 2A and 2B). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the function key option of Kusmierczyk in the invention of Mullaney because it provides users an easy access to language selection screen by means of utilizing the function keys on a keyboard.

Per claim 16, Kusmierczyk teaches a device according to claim 15, wherein the option is indicated in a predetermined language regardless of the display language currently selected (Fig. 2B; F3 function key; The examiner infers that the option having a same appearance regardless of the display language currently selected is that the F3 function key has the same appearance in both Figs. 2A and 2B).

Per claim 17, Kusmierczyk teaches a device according to claim 16, wherein the predetermined language is English (Fig. 2B; F3 function key).

Per claim 18, Kusmierczyk teaches a device according to claim 15, wherein the option is indicated by a predetermined symbol regardless of the display language currently selected (Fig. 2B, symbol F3).

Per claim 19, Kusmierczyk teaches a device according to claim 15, wherein the second screen provides plural options for various device settings (Fig. 2B; keys: F1-F10; col. 2, lines 53-58).

Per claim 26, Mullaney teaches a device comprising: a display unit and a controller which displays a screen on the display unit, the screen displaying a plurality of selectable language options for selecting a display language (fig. 4; options: 404-414; col. 4, lines 40-45),

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But does not teach a dedicated key switch provided outside of the display unit, wherein the display language selection screen is directly displayed on the display unit when the dedicated key switch is operated, the dedicated key switch being used only for displaying the display language selecting screen on the display unit.

However, Kusmierczyk teaches a dedicated key switch provided outside of the display unit, wherein the display language selection screen is directly displayed on the display unit when the dedicated key switch is operated, the dedicated key switch being used only for displaying the display language selecting screen on the display unit (Figs 2A and 2B; col. 2, lines 58-67; function key F3 on keyboard of Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the function key option of Kusmierczyk in the invention of Mullaney because it provides users an easy access to language selection screen by means of utilizing the function keys on a keyboard.

Per claim 27, Mullaney teaches a display device comprising:

a display unit which displays a first screen with a plurality of selectable language options for selecting a display language (fig. 4; options: 404-414; col. 4, lines 40-45) and a second screen with an option ,wherein the first screen is displayed when the option is designated (fig. 5; option : "<Back"), but does not teach a control unit which controls the option to appear the same regardless of the display language currently displayed.

However, Kusmierczyk teaches a control unit which controls the option to appear the same regardless of the display language currently displayed (Fig. 2B; the option: F3; col. 2, lines 61-67; The examiner infers that the option having a same appearance regardless of the display

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language currently displayed is that the F3 function key has the same appearance in both Figs. 2A and 2B). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the function key option of Kusmierczyk in the invention of Mullaney because it provides users an easy access to language selection screen by means of utilizing the function keys on a keyboard.

Per claim 28, Kusmierczyk teaches a display device according to claim 27, wherein the option is indicated in a predetermined language regardless of the display language currently selected (Fig. 2B; the option: F3; The examiner infers that the option having a same appearance regardless of the display language currently selected is that the F3 function key has the same appearance in both Figs. 2A and 2B).

Per claim 29, Kusmierczyk teaches a display device according to claim 27, wherein the option is indicated by a predetermined symbol regardless of the display language currently selected (Fig. 2B, symbol F3).

Per claim 30, Mullaney teaches a method of display comprising:

displaying a first screen with an option in a first display language (fig. 5; option: "<Back");

displaying a second screen when the option is designated on the first screen, the second screen displaying a plurality of selectable language options for selecting a display language, and setting the selected language through the second screen as a second display language, the second display language being different from the first display language (fig. 4; col. 4, lines 40-45; col. 7, lines 27-29), but does not teach displaying a third screen with the option in the second display

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language, said option having a same appearance as in the first screen although the third screen is displayed in the second language

However, Kusmierczyk teaches displaying a third screen with the option in the second display language, said option having a same appearance as in the first screen although the third screen is displayed in the second language (Figs. 2A-2B; the option F3 has the same appearance on both screens on Figs. 2A and 2B). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the function key option of Kusmierczyk in the invention of Mullaney because it provides users an easy access to language selection screen by means of utilizing the function keys on a keyboard.

Per claim 31, Kusmierczyk teaches a display device according to claim 30, wherein the option is indicated in a predetermined language regardless of the display language currently selected (Fig. 2B; the option: F3; The examiner infers that the option having a same appearance regardless of the display language currently selected is that the F3 function key has the same appearance in both Figs. 2A and 2B).

Per claim 32, Kusmierczyk teaches a display device according to claim 30, wherein the option is indicated by a predetermined symbol regardless of the display language currently selected (Fig. 2B, symbol F3).

Response to Arguments

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that Kusmierczyk does not teach "an option having a same appearance regardless of the display language currently displayed", and "the function key

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is not an option displayed on the screen of a display unit". The examiner does not agree because Kusmierczyk teaches an option on the display unit, the option having a same appearance regardless of the display language currently displayed (an option "F3" is being display^{ed} on the ~~displays~~ of figs. 2A and 2B see col. 2, lines 61-67; The examiner considers that the option having a same appearance regardless of the display language is that the appearance of the label "F3" for the key stays the same both Figs. 2A and 2B).

In addition, applicant also points out that that examiner has failed to provide evidence of a motivation to combine. The examiner does not agree for the following reasons:

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the function key option of Kusmierczyk in the invention of Mullaney because it provides users an easy access to language selection screen by means of utilizing the function keys on a keyboard (the function key of Kusmierczyk is being used to provide a shortcut for accessing the screen of Figs. 2A and 2B. Thus, the short cut can be implemented to provide the users with an easy access to the language selection screen of fig. 4 of Mullaney).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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